

## **EXHIBIT 5**

**From:** [Tiffany Mcclurkin](#)  
**To:** [Ramona McGee](#)  
**Cc:** [Larry Lee](#); [Heather Hillaker](#)  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested  
**Date:** Wednesday, March 06, 2019 8:17:15 PM  
**Attachments:** [smime.p7s](#)

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Hello Ms. McGee,

I wanted to provide you with an update regarding two of your FOIAs. I have been advised by the ES FOIA Coordinator that records for the below FOIAs will be provided to my office by Friday, March 8, 2019. Once I receive the records, I will be able to give you a better idea of when I will be able to send the responses to you.

- FWS-2018-00274: Documents for 2<sup>nd</sup> Partial Response will be provided to my office by ES FOIA Coordinator on Friday, March 8, 2019
- FWS-2018-00602: Documents for 1<sup>st</sup> Partial Response will be provided to my office by ES FOIA Coordinator on Friday, March 8, 2019

V/R

Tiffany McClurkin  
U.S. Fish & Wildlife Service  
Headquarters Information Resources & Technology Management  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Sent:** Wednesday, February 27, 2019 7:50 AM  
**To:** 'Ramona McGee' <[rmcgee@selcnc.org](mailto:rmcgee@selcnc.org)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; 'Heather Hillaker' <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Good Morning Ms. McGee,

I'm so sorry for the delay, but my office have not received records for your FOIAs from Mr. Larry Lee. As soon as those records are in my possession, I will give you a timeframe in which I will be able to send you a partial response. After speaking with him yesterday, he advised that he should have two of the partial responses to me for review no later than Friday. Granted I'm unsure how many records will be given to my office and if there are potential withholdings. Dependent upon the volume, it shouldn't take very long for my review at all, but if there are withholdings, we will need to send the records to the Solicitor's Office for review and to External Affairs for review as well. Neither of those offices take very long at all. Thanks so much Ms. McGee for your continued patience!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcgee@selcnc.org](mailto:rmcgee@selcnc.org)>  
**Sent:** Tuesday, February 26, 2019 4:25 PM  
**To:** Tiffany McClurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Ms. McClurkin,

Checking on the status of these again. Thanks.

-Ramona

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**From:** Tiffany McClurkin [[mailto:tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)]  
**Sent:** Thursday, February 21, 2019 9:55 AM  
**To:** Ramona McGee  
**Cc:** Larry Lee; Heather Hillaker  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Good Morning Ms. McGee,

I followed up with Mr. Larry Lee this morning regarding the records. As soon as I receive those records, I will send a follow-up. I'm hoping that I can send you an update by tomorrow. Thanks for your patience!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcgee@selcnc.org](mailto:rmcgee@selcnc.org)>

**Sent:** Thursday, February 21, 2019 9:32 AM  
**To:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Ms. McClurkin,

We have still not received any updates as to when to expect next partial responses for any of this requests. I also did not receive a response to my query about the partial denial letter we received regarding FWS-2018-00274. Can you please provide us with that information by tomorrow?

Thanks,  
Ramona

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**From:** Tiffany Mcclurkin [[mailto:tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)]  
**Sent:** Monday, February 11, 2019 4:09 PM  
**To:** Ramona McGee  
**Cc:** Larry Lee; Heather Hillaker  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Good Afternoon Ms. McGee,

I am sending a partial response today via FedEx for FWS-2018-00274. The FedEx tracking number is 7744 4232 8488. Please expect to hear from me later this week regarding an estimated date in which I will be able to send partial responses for your other outstanding FOIAs. Thanks for your continued patience!

Have a wonderful evening!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>  
**Sent:** Monday, February 11, 2019 10:23 AM  
**To:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Thank you for these updates. We look forward to receiving these partial responses and information

about when we can expect future partial responses.

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**From:** Tiffany Mcclurkin [[mailto:tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)]  
**Sent:** Friday, February 08, 2019 4:03 PM  
**To:** Ramona McGee  
**Cc:** Larry Lee; Heather Hillaker  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Hi Ms. McGee,

Listed below are status' for your outstanding requests.

- FWS-2018-00274: Partial Response will be mailed by FedEx'd by Monday, February 11, 2019 and tracking number will be emailed to you. The ES FOIA Coordinator will provide an additional partial response to me no later than February 15, 2019. Upon receipt of the records from ES FOIA Coordinator, I will be able to provide you with a date in which I can get the next partial response to you.
- FWS-2018-00602: ES FOIA Coordinator will provide a partial response to me no later than February 14, 2019. Upon receipt of the records from ES FOIA Coordinator, I will be able to provide you with a date in which I can get the next partial response to you.
- FWS-2018-00542: ES FOIA Coordinator will provide an additional partial response to me no later than February 14, 2019. Upon receipt of the records from ES FOIA Coordinator, I will be able to provide you with a date in which I can get the next partial response to you.
- FWS-2019-00203: ES FOIA Coordinator will provide a partial response to me no later than February 13, 2019. Upon receipt of the records from ES FOIA Coordinator, I will be able to provide you with a date in which I can get the next partial response to you.

Please expect to hear from me next week regarding dates in which I will be able to provide records after they have been received from the ES FOIA Coordinator. I will review them as quickly as possible upon receipt. Thanks so much for your continued patience! Please feel free to give myself or Larry a call if you have any questions or concerns.

Larry and I will discuss completion dates of your FOIAs as well.

Have a wonderful weekend and again please expect to hear from me next week!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

**From:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Sent:** Friday, February 8, 2019 2:40 PM  
**To:** 'Ramona McGee' <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; 'Heather Hillaker' <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Good Afternoon Ms. McGee,

Update: Larry is currently working on providing status' regarding your FOIAs. I will have those status' to you later this evening. I will be sending a partial response to you on Monday, February 11, 2019 for FWS-2018-00274. There is one remaining review to be conducted for the partial response of FWS-2018-00274, which will be complete by Monday, February 11, 2019. We apologize for the delay and hope to have remaining records to you more quickly.

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Sent:** Wednesday, February 6, 2019 9:59 AM  
**To:** Ramona McGee <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Thanks so much Ms. McGee!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>

**Sent:** Wednesday, February 6, 2019 9:55 AM  
**To:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Great, an update by Friday will be fine. Thanks.

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**From:** Tiffany Mcclurkin [[mailto:tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)]  
**Sent:** Wednesday, February 06, 2019 9:31 AM  
**To:** Ramona McGee  
**Cc:** Larry Lee; Heather Hillaker  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Thank you!!!!

Yes ma'am, Friday, February 8, 2019.

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>  
**Sent:** Wednesday, February 6, 2019 9:29 AM  
**To:** Tiffany Mcclurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** Larry Lee <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Hi Tiffany,

Happy New Year to you as well! Do you mean Friday, Feb. 8th?

Thanks,

Ramona

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**From:** Tiffany Mcclurkin [[mailto:tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)]  
**Sent:** Wednesday, February 06, 2019 9:28 AM  
**To:** Ramona McGee  
**Cc:** Larry Lee; Heather Hillaker  
**Subject:** RE: [EXTERNAL] Overdue FOIA Requests - updates requested

Good Morning Ms. McGee and Happy New Year!

Can you please allow me until Friday, February 6, 2019 to provide you updates on your outstanding FOIA requests? I am working on getting a partial response to you for FWS-2018-00274 and hope to have this to you by Friday as well. Your help with this will be greatly appreciated. Thanks!

V/R

Tiffany McClurkin  
Government Information Specialist  
Freedom of Information Act (FOIA) Coordinator  
U.S. Fish & Wildlife Service  
Southeast Region (Region 4)  
1875 Century Blvd, Suite 218  
Atlanta GA 30345  
(O) (404) 679-4104  
(E) [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)

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**From:** Ramona McGee <[rmcghee@selcnc.org](mailto:rmcghee@selcnc.org)>  
**Sent:** Tuesday, February 5, 2019 4:32 PM  
**To:** Tiffany McClurkin <[tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov)>  
**Cc:** 'Lee, Larry' <[larry\\_lee@fws.gov](mailto:larry_lee@fws.gov)>; Heather Hillaker <[hhillaker@selcnc.org](mailto:hhillaker@selcnc.org)>  
**Subject:** [EXTERNAL] Overdue FOIA Requests - updates requested

Hi Tiffany,

I am following-up on a voicemail I left you last Friday, February 1<sup>st</sup>, regarding the status of several outstanding FOIA requests. As noted in my message, some of these requests have been pending for several months or more than a year. In particular, with the request regarding red wolves, I believe FWS had committed to a rolling production of documents beginning in October 2018 which has not happened. Could you please provide me with a status update on each of the following? I am happy to discuss over the phone if convenient.

- FWS FOIA re: Red wolves, sent Dec. 6, 2017 – tracking number FWS-2018-00274
- FWS FOIA re: Palmetto-Pearlree Preserve, sent Mar. 20, 2018 – tracking number FWS-2018-00602
- FWS FOIA re: Complete 540 & mussels, sent Feb. 8, 2018 – tracking number FWS-2018-00542
- FWS FOIA re: Red cockaded woodpeckers biological assessment, sent Nov. 29, 2018 – tracking number FWS-2019-00203 (sent by Heather Hillaker)

Thank you,

Ramona

—  
**Ramona H. McGee**

Staff Attorney | [Southern Environmental Law Center](#)  
601 West Rosemary Street, Suite 220 | Chapel Hill, NC 27516-2356  
T: 919-967-1450 | F: 919-929-9421 | Email: [rmcgee@selcnc.org](mailto:rmcgee@selcnc.org)

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